

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

LICANTS:

Tobagi et al.

SERIAL NUMBER:

09/853,816

FILING DATE:

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TITLE:

System and Method for Controlling Data Transfer Rates

on a Network

EXAMINER:

Man U. Phan

ART UNIT:

2665

ATTY. DKT. NO.:

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CERTIFICATE OF MAILING

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SIR:

Pursuant to the provisions of 37 C.F.R. §§ 1.56 and 1.97-98 of the Rules of Practice in Patent Cases, enclosed herewith is form PTO-SB-08B, listing three references, copies of which are enclosed.

Applicants declare, in accordance with 37 C.F.R. § 1.97(e)(2), that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after having made a reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the information disclosure statement.

The Examiner is requested to make these references of official record in this application. The references cited may be material to examination of the application and are submitted in compliance with Applicants' duty of disclosure as defined by 37 C.F.R. § 1.56.

No representation is made or intended as to the completeness of this list, nor is the inclusion of any reference on this list an admission that it is prior art or pertinent to this application. No fee is due with this submission.

Respectfully submitted, Fouad A. Tobagi et al.

Dated: September 16, 2005

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PTO/SB/08B (08-03)

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Complete if Known te for form 1449/PTO **Application Number** 09/853,816 **INFORMATION DISCLOSURE Filing Date** May 11, 2001 STATEMENT BY APPLICANT **First Named Inventor** Tobagi Art Unit 2665 (Use as many sheets as necessary) **Examiner Name** Man U. Phan Sheet Attorney Docket Number **PA1689US**

NON PATENT LITERATURE DOCUMENTS							
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.					
	Federal Standard 1037C: Glossary of Telecommunications Terms: Network Interface Device (access Sept. 16, 2005)						
		Newton's Telecom Dictionary (2004 20th Ed.): Network Controller					
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